

REMARKS

Claims 1-15, 21-24 are pending in this application. Claims 1, 6, 12 have been amended above. As to new claims 21-23, see, e.g., page 16, lines 10, 15+; page 17, line 21; page 18, lines 21+; page 18 and glass tube 350 in Applicant's figures.

Claims 1, 5-7, 11-12, and 15 again have been rejected under 35 USC 102(b) as being anticipated by US Patent 6,084,994 to Li et al.

This anticipation rejection is traversed.

Applicant notes that in the office action, the Examiner has indicated that Applicant's ONLY argument is that Applicant's invention provides superior unexpected results over Li's invention. Applicant clarifies Applicant's position to be otherwise. Namely, Applicant's claimed invention is distinguished from Li. The above claim amendments have been made to make the distinctions over Li more clear.

Applicant's claims recite a "replaceable" first graded index rod lens. Li fails to teach or disclose a replaceable rod lens. In Li, the rod lens is permanently installed and non-replaceable. Li discloses permitting the filter and the lens to be flush, or non-flush, but is silent about the possibility (only now disclosed by Applicant) of the lens being removable.

Applicant's claims recite that the first rod lens is "replaceably disposed contacting the optical filter." Li fails to teach or disclose such a structural feature. Li omits to teach or disclose that a rod lens may be replaceably disposed. In Li, the disposition of the rod lens vis-a-vis the optical filter is permanent, not replaceable.

Wherefore, reconsideration and withdrawal of the anticipation rejection are respectfully requested.

Claims 1, 5-7, 11-12 and 15 have been rejected as being unpatentable under 35 U.S.C. 103(a) over Li et al. In view of Kittaka et al. (US 2002/0140929). The Examiner admits that Li does not explicitly disclose an angle of the parallel light incident on the optical filter is adjusted by changing a refractive index distribution constant of the first graded index rod lens. Claims 2-4, 8-9, and 13-14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. in view of Kittaka and US Patent 5,943,149 to Cearns et al. The Examiner admits that neither Li nor Kittaka explicitly teaches the optical filter is multi-layered.

Applicant respectfully traverses these obviousness rejections. Applicant's claimed invention is more removed from the primary reference (Li). Li fails to teach or disclose a replaceable rod lens, nor that the rod lens is structurally disposed in a replaceable position in Applicant's claimed device, which structure Li fails to teach or disclose. These structural differences of Applicant's inventive device are patentably significant over Li.¹

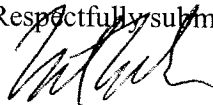
Reconsideration and withdrawal of the obviousness rejections are respectfully requested.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 1-15, 21-24 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees for the petition or for entry of this amendment to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson P.C.).

Respectfully submitted,



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¹For simplicity and brevity, Applicant does not comment separately on each rejected dependent cl